

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

LEE E. MOORE,)	CASE NO. C-1-00-023
)	
Petitioner,)	JUDGE DLOTT
)	
vs.)	MAGISTRATE JUDGE MERZ
)	
BETTY MITCHELL, Warden)	
)	<i>DEATH PENALTY CASE</i>
Respondent.)	

**MOTION FOR EXTENSION OF TIME
TO EXPAND RECORD**

The Petitioner, by counsel, hereby moves the Court for an extension of time to permit the Petitioner to complete expansion of the record in this action. Counsel for the Petitioner has encountered technical difficulties in scanning in the voluminous files of Timothy Deardorff, Charles Stidham and Daniels James and request an extension of up to and including August 8, 2005 in order to complete the same. Counsel for the Respondent has no objection to this request.

The original deposition transcripts conducted in this matter will be manually filed with this Court prior to the July 16, 2005 deadline.

Respectfully Submitted,

/s/ Laurence E. Komp
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-and-

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COUNSEL FOR PETITIONER

CERTIFICATION

I hereby certify that I have, this 12th day of July, 2005, filed and made available to Respondent via the Court's electronic filing system, a copy of the foregoing pleading to the following attorneys of record:

Charles L. Wille, Esq.
Henry Appel, Esq.
Assistant Attorneys General for State of Ohio
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COUNSEL FOR DEFENDANT

/s MICHAEL J. O'HARA

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